



UNITED STATES DEPARTMENT OF COMMERCE  
Patent and Trademark Office  
Address: COMMISSIONER OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
07/786,453	11/01/91	LEVINSON	E A-54591/65W
		E3M1/0804	EXAMINER AMSBURY, W
FLEHR, HOHBACH, TEST, ALBRITTON & HERBERT, STE. 3400 FOUR EMBARCADERO CENTER SAN FRANCISCO, CA 94111		ART UNIT PAPER NUMBER 5	
		2307	DATE MAILED:
		08/04/94	

This is a communication from the examiner in charge of your application.  
COMMISSIONER OF PATENTS AND TRADEMARKS

This application has been examined  Responsive to communication filed on 6-6-94  This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), 0 days from the date of this letter.  
Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

**Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:**

- Notice of References Cited by Examiner, PTO-892.
- Notice of Art Cited by Applicant, PTO-1449.
- Information on How to Effect Drawing Changes, PTO-1474.
- Notice of Draftsman's Patent Drawing Review, PTO-948.
- Notice of Informal Patent Application, PTO-152.
- \_\_\_\_\_

**Part II SUMMARY OF ACTION**

1.  Claims 1-16 are pending in the application.

Of the above, claims \_\_\_\_\_ are withdrawn from consideration.

2.  Claims \_\_\_\_\_ have been cancelled.

3.  Claims 1-12, 24-35, 64-66 are allowed.

4.  Claims 13, 17-23, 36, 40-46, 51, 56 are rejected.

5.  Claims 14-16, 37-39, 47-50, 52-55, 57-63 are objected to.

6.  Claims \_\_\_\_\_ are subject to restriction or election requirement.

7.  This application has been filed with informal drawings under 37 C.F.R. 1.85 which are acceptable for examination purposes.

8.  Formal drawings are required in response to this Office action.

9.  The corrected or substitute drawings have been received on \_\_\_\_\_. Under 37 C.F.R. 1.84 these drawings are  acceptable;  not acceptable (see explanation or Notice of Draftsman's Patent Drawing Review, PTO-948).

10.  The proposed additional or substitute sheet(s) of drawings, filed on \_\_\_\_\_, has (have) been  approved by the examiner;  disapproved by the examiner (see explanation).

11.  The proposed drawing correction, filed \_\_\_\_\_, has been  approved;  disapproved (see explanation).

12.  Acknowledgement is made of the claim for priority under 35 U.S.C. 119. The certified copy has  been received  not been received  been filed in parent application, serial no. \_\_\_\_\_; filed on \_\_\_\_\_.

13.  Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.

14.  Other

**EXAMINER'S ACTION**

Serial Number: 07/786,453

-2-

Art Unit: 2307

CLAIMS 1-66 ARE PENDING  
CLAIMS 47-66 ARE NEW

1. This application does not contain an Abstract of the Disclosure as required by 37 C.F.R. § 1.72(b). An Abstract on a separate sheet is required.

This was noted in the prior action, and not responded to.

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. § 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --  
(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 13 and 36 are rejected under 35 U.S.C. § 102(b) as being anticipated by Cichelli, USP 4,429,385.

Cichelli et al (Cichelli) corresponds to the elements of the claims as follows:

In claim 36:

"information transmission method" (Col 1 lines 8-15.)

Art Unit: 2307

"storing an information database"

(Col 1 lines 17-20; col 4 line 66 to col 5 line 4.)

"a set of indices for referencing data in said information database, including distinct indices for referencing distinct portions thereof, and embedding said indices in said information database"

(Claim 1A-1B col 21, where the database is stated to be one of frames with data and header embedded in a frame; a hierarchical structure is built into the set of frames, as noted at col 10 lines 24-31, and in the abstract; the hierarchical set of indices is presented to the user as a menu structure (col 9 lines 12-16), which allows the choice of a frame number (col 9 lines 36-46), which is then extracted from the stream (col 9 lines 47-52).)

"said storing step further including embedding in said information database cross-referencing indices for cross-referencing related information"

(Col 10 lines 24-31; col 13 lines 41-56.)

"transmitting a stream of data packets"

(Claim 1C col 21 lines 6-68, where the stream is the serial database.)

Art Unit: 2307

"receiving said transmitted stream of data packets at subscriber stations"

(Col 8 lines 47-49; col 10 lines 24-31.)

"storing filter data corresponding to a subset of said indices, said filter data specifying a set of requested data packets which comprises a subset of said transmitted data packets"

(FIG 6, Pattern storage RAM; col 9 line 47 to col 10 line 2.)

"at each subscriber station, downloading into a memory storage device those of said received data packets which match said specified set of requested data packets"

(Col 8 lines 49-60.)

"automatically adding, in accordance with predefined criteria, data corresponding to ones of said cross-referencing indices embedded in said downloaded data packets to said filter data so as to specify additional data packets to be downloaded"

(Col 10 lines 24-31.)

The analysis of claim 13 is similar.

Art Unit: 2307

4. Claims 17-23 and 40-46 are rejected under 35 U.S.C. § 103 as being unpatentable over Cichelli, USP 4,429,385, and Young, USP 4,706,122, and Hoarty et al, USP 5,220,420.

This maintains the rejection of the prior action, which is hereby included by reference.

5. Claims 14-16, 37-39, and 47-50 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

6. Claims 1-12 and 24-35 are allowable over the prior art of record.

7. Applicant's arguments filed 6-6-94 in regard to claims 1-46 have been fully considered but they are not deemed to be persuasive.

Applicant fails to recognize the breadth of the claims. In the response of 11-30-93, at page 26 the "smart look-ahead" feature of these claims is discussed., but as noted in the analysis of the claims, this corresponds to the attribute connections placed into the packets and used to capture related frames as taught by Cichelli.

Art Unit: 2307

The discussion above in regard to 35 USC § 102 and § 103 is thought to be an adequate response to the comments concerning this feature to the extent that it appears in the claims.

8. Claims 51 and 56 are rejected under 35 U.S.C. § 102(b) as being anticipated by Cichelli, USP 4,429,385.

The analysis of claims 51 and 56 is similar to that of claim 36 above.

9. Claims 52-55 and 57-63 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

10. Claims 64-66 are allowable over the prior art of record.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne Amsbury whose telephone number is (703) 305-3828.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 305-9600.

wpa

WPA

August 1, 1994

*Thomas G. Black*  
THOMAS G. BLACK  
SUPERVISORY PATENT EXAMINER  
GROUP 2300